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MINISTRY OF FINANCE
(Central Board of Direct Taxes)

NOTIFICATION

ESTATE DUTY

New Delhi, the 29th June 1964

G.S.R. 954.—In exercise of the powers conferred by sub-section (1) of section 85 of the Estate Duty Act, 1953, (34 of 1953), the Central Board of Direct Taxes hereby makes the following amendments in the Estate Duty Rules, 1953, the same having been previously published as required by the said sub-section, namely:—

1. These rules may be called the Estate Duty (Second Amendment) Rules, 1964.

2. In the Estate Duty Rules, 1953—

(a) rule 23 shall be omitted;

(b) in Form ED 1-A, in Annexure Form I-E, after item No. (8) in Note '(N)', the following item shall be inserted, namely:—

“(9) In case the deceased died on or after the 1st April, 1964, the value of one house or part thereof exclusively used by him for his residence, limited to the extent of rupees one lakh of the principal value thereof, if such house is situate in a place having a population exceeding ten thousand, and the full principal value thereof in any other case.”;

(c) in Form ED 5-A, after item 6 under the head “OBSERVATION”, the following item shall be inserted, namely:—

“6A. *Residential house.*—In case the deceased died on or after the 1st April, 1964, the value of one house or part thereof exclusively used by him for his residence is exempt from duty subject to certain limits. If exemption is claimed under this head, please state—

(a) the value of the house or part thereof on which exemption is claimed; and

(b) if the value exceeds Rs. 1,00,000, what is the name of the place where it is situated and what is the population of the said place.

NOTE.—The exemption shall be available on the excess value of the house over Rs. 1,00,000 only if the population of the place does not exceed 10,000.”

Explanatory Note

[This note is not part of the notification but is intended to be merely clarificatory.]

Amendment 2(a)

Rule 23 of the Estate Duty Rules, 1953, requiring an Estate Duty Account to be delivered in duplicate is omitted for the convenience of the accountable persons.

Amendments 2(b) and (c)

Amendments to Forms ED 1-A and ED 5-A prescribed by rule 20A of the Estate Duty Rules, 1953, are intended to explain the exemption of the value of residential house under sections 33 and 34 of the Estate Duty Act as amended by section 49 of the Finance Act, 1964.

[No. 43/F. No. 12/2/64-ED]

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